

UTILITY
PATENT APPLICATION
TRANSMITTAL

Attorney Docket No.

96-04 D1C1

Total Pages

103

First Named Inventor or Application Identifier

MECHLENBURG et al.

Title

Muscle Stimulating Device and Method for Diagnosing
and Treating a Breathing Disorder

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Express Mail Label No.

EL 997388316 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

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1. ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. ☒ Specification [Total Pages 57]
(preferred arrangement set forth below)
 - Descriptive Title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
3. ☒ Drawing(s) (35 U.S.C. § 113) [Total Sheets 10]
4. ☒ Oath or Declaration [Total Pages 1]
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 C.F.R. § 1.63(d))
(for continuation/divisional with Boxes 19 and 20 completed)
[Note Box 5 below]
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting
inventor(s) named in the prior application,
see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).
 - c. ☐ Unsigned
5. ☒ Incorporation By Reference (useable if Box 4b is checked)
The entire disclosure of the prior application, from
which a copy of the oath or declaration is supplied
under Box 4b, is considered as being part of the
disclosure of the accompanying application and is
hereby incorporated by reference therein.
6. ☒ Application Data Sheet per 37 C.F.R. § 1.76
[Total Pages 2]

7. DOMESTIC/INTERNATIONAL priority is claimed under 35 U.S.C. § 119(e)/120/365(c)
based on the following provisional, nonprovisional, and/or PCT international applications.

	Application No.	Filing Date
(1)	09/761,788	January 17, 2001
(2)	09/173,871	October 16, 1998
(3)	60/062,288	October 17, 1997
(4)		

8. ☒ Prior application is assigned to Respironics, Inc. and the Penn
State Research Foundation by Assignment recorded February 12,
1999 Reel 9768 Frame(s) 0688.

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
(Please return recorded assignment to the undersigned)
10. ☐ 37 C.F.R. § 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure ☐ Copies of IDS Citations
Statement (IDS)/PTO-1449
13. ☒ Preliminary Amendment (to be entered before calculating fees)
14. ☒ Return Receipt Postcard
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☒ Certificate of Mailing by Express Mail
17. ☐ Non-publication Request and Cert. under 35 U.S.C.
§ 122(b)(2)(B)(i) (attach copy of RI-186 Form (PTO/SB/35)).
18. ☒ Other: Filing of Formal Drawings

19. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. 09/761,788

Prior application Information: Examiner: Gilbert, S. Group/ArtUnit: 3736

21. CORRESPONDENCE ADDRESS

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of

Inventor : MECHLENBURG et al.
Appln. No. : Not Yet Assigned (CONT of U.S. Appln. No. 09/761,788)
Conf. No.: : Unknown
Filed: : March 29, 2004
Title: : MUSCLE STIMULATING DEVICE AND METHOD FOR
DIAGNOSING AND TREATING A BREATHING DISORDER
Group Art Unit : Unknown
Examiner : Unknown
Docket No. : 96-04 D1C1

* * * * *

March 29, 2004

FILING OF FORMAL DRAWINGS

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

Please accept herewith the 10 sheets of formal drawings on 8½ x 11 size paper of
Figures 1-14, which are in lieu of the informal drawing(s) filed earlier. Each sheet of drawings
includes the identifying indicia suggested in 37 C.F.R. § 1.84 (c) on the front of the drawing.

Respectfully submitted,

By Michael W. Haas

Michael W. Haas

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RESPIRONICS, INC.
1010 Murry Ridge Lane
Murrysville, PA 15668

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the
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Michael W. Haas
Michael W. Haas, Reg. No. 35,174